

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jeremiah M. Johnson,

Civil No. 16-268 (DWF/HB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Virginia Mandac, M.D., Nacole Lind,
Leigha Bailey, R.N., Scott Yozamp, and
Joseph Witter, in their individual and
official capacities,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated August 1, 2018. (Doc. No. 193.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Hildy Bowbeer's August 1, 2018 Report and Recommendation (Doc. No. [193]) is **ADOPTED**.
2. Plaintiff Jeremiah Johnson's Motion for Summary Judgment (Doc. No. [148]) is **DENIED**.

3. Defendant Virginia Mandac's Cross-Motion for Summary Judgment (Doc. No. [157]) is **GRANTED**.

4. The Cross-Motion for Summary Judgment filed by Defendants Leigha Bailey, Scott Yozamp, and Joseph Wittwer (Doc. No. [165]) is **GRANTED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 20, 2018

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge